

Georgia

Incidence and Nature of Child Labor

An estimated 21.5 percent of children ages 7 to 17 were counted as working in Georgia in 2000.¹⁹³⁵ Most working children reside in rural areas in Georgia (77.3 percent) and work on a family farm (77.4 percent) or in a family enterprise (18.4 percent).¹⁹³⁶ According to the Ministry of Education, there are more than 1,200 street children in the capital city of Tbilisi. Although they are usually not counted in labor surveys, these children primarily beg or peddle small items and some are involved in prostitution.¹⁹³⁷ Violence against street children was reported.¹⁹³⁸ The government took little action to assist street children. There were unconfirmed reports of police violence against street children, but the patrol police routinely transferred street children to a 24-hour care center or orphanage.^{1939 1940} Children work nights at filling stations or selling flowers or other small items in bars or restaurants.¹⁹⁴¹ Prostitution of both boys and girls occurs, and while no data exist on the scale of the use of children in pornography, the government reports that the chances it exists are high.¹⁹⁴² In the region of Abkhazia which is outside the control of the central government, the Abkhaz de facto authorities forcefully conscripted into the army more than 50 young male ethnic Georgians living in the Abkhazia's Gali region, some of whom were reportedly as young as 16.¹⁹⁴³ Child labor is one of many problems associated with poverty. In 2001, 2.7 percent of the population in Georgia were living on less than USD 1 a day.¹⁹⁴⁴

Georgia is both a source and transit state for child trafficking, and street children are particularly vulnerable to trafficking.¹⁹⁴⁵ NGO reports indicate that women and children are primarily trafficked from Georgia to Greece, Turkey, the United States, Spain and France. In addition, women and children are trafficked through Georgia from Russia, Ukraine, and other former Soviet states to Turkey and other Mediterranean countries. Armenian women and children are trafficked through Georgia to United Arab Emirates (UAE) and Turkey and Uzbek women to the UAE.¹⁹⁴⁶

¹⁹³⁵ ILO, *Child Labour in Georgia*, January 2004. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the section in the front of the report titled "Data Sources and Definitions."

¹⁹³⁶ This figure refers to children 7 to 17 years of age. Source ILO, *Child Labour in Georgia*, January 2004.

¹⁹³⁷ U.S. Department of State official, email communication to USDOL official, August 8, 2006.

¹⁹³⁸ U.S. Department of State, *Country Reports- 2005 Georgia*.

¹⁹³⁹ U.S. Department of State official, email communication to USDOL official, August 8, 2006.

¹⁹⁴⁰ U.S. Department of State, *Country Reports- 2004: Georgia*.

¹⁹⁴¹ Government of Georgia, *National Plan of Action for Children 2003-2007 [Draft-English Edition]*, 38.

¹⁹⁴² *Ibid.*, 41. See also U.S. Department of State, *Country Reports- 200: Georgia*, Section 5., which suggests that incidents of sexual exploitation were reported, especially among girls.

¹⁹⁴³ U.S. Department of State official, email communication to USDOL official, August 8, 2006.

¹⁹⁴⁴ World Bank, *World Development Indicators 2005 [CD-ROM]*, Washington, DC, 2005.

¹⁹⁴⁵ Government of Georgia, *National Plan of Action for Children 2003-2007 [Draft-English Edition]*, 42. See also U.S. Department of State, *Country Reports- 200: Georgia*, Section 5. See also U.N. Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention*, CRC/C/15/Add.222, para. 64.

¹⁹⁴⁶ The Protection Project, *Georgia*, [online] n.d. [cited September 30, 2005]; available from <http://www.protectionproject.org/report/georgia.doc>.

According to statistics published by the Institute of Legal Reforms of Georgia, in 2003, the most recent year for which such data are available, there were 1,945 registered crimes committed by children, the majority of which were related to the selling, smuggling, and illegal distribution of drugs.¹⁹⁴⁷ Organized crime is a source of the drug trade and the trafficking of women and children.¹⁹⁴⁸

Education is mandatory and free for children ages 6 or 7 to age 14.¹⁹⁴⁹ In 2002, the gross primary enrollment rate was 90 percent and the net primary enrollment rate was 89 percent.¹⁹⁵⁰ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Although education is free, due to limited and declining public expenditures on education, an informal system of payments exists which requires some parents to purchase textbooks and school supplies, and provide payments for tuition or teachers' salaries.¹⁹⁵¹ Parents' inability or unwillingness to pay these fees has resulted in children being forced to drop out of school,¹⁹⁵² which leaves some children vulnerable to exploitation of the worst forms of child labor.

Child Labor Laws and Enforcement

Article 167 of the Labor Code sets the minimum age for employment in Georgia at 16 years. Students in secondary, vocational, or special training schools are permitted to work from age 14, with the permission of a parent or guardian, so long as the work is not damaging to the child's health or education. In general, children under 18 years of age are prohibited from work that involves heavy lifting or is harmful or dangerous, including underground work and work at night. Children ages 15 and over are restricted to working 24 or 36 hours per week depending on their age. Children are also restricted from selling alcohol, tobacco, and pornography, and working in bars, nightclubs, and gambling facilities. Children are also prohibited from working in hazardous industries such as mechanical engineering, metallurgy, welding, and the production of construction materials.¹⁹⁵³ The Ministry of Health, Social Service, and Labor is responsible for enforcing laws regulating child labor. The Labor Inspection Department within the Ministry, which had been the only mechanism for monitoring enforcement of the minimum age requirement, was dissolved in 2005. According to the U.S. Department of State, the actual enforcement of these laws is inconsistent.¹⁹⁵⁴

There are different statutes under which the worst forms of child labor can be prosecuted in Georgia. The law prohibits forced labor, including by children.¹⁹⁵⁵ Article 171 of the Georgian Penal Code includes penalties of imprisonment for up to 3 years for encouraging minors to engage in prostitution. Article 143 prohibits trafficking of persons and minors, and article 172 prohibits trafficking of minors for exploitation. Trafficking of children is punishable by imprisonment of 8 to 20 years or life imprisonment depending on

¹⁹⁴⁷ Institute of Legal Reforms of Georgia, *Statistics of Crime Registered in Georgia during 12 Months in 2003*, [online] October 07, 2005 [cited June 29, 2005]; available from <http://ilr.iatp.ge/Criminal%20Statistics/index.html>.

¹⁹⁴⁸ Georgi Glonti, *Problems Associated with Organized Crime in Georgia*, Institute of Legal Reforms of Georgia, Tbilisi; available from <http://ilr.iatp.ge/Publications/Publications.html>.

¹⁹⁴⁹ U.S. Department of State, *Country Reports- 200: Georgia*, Section 5.

¹⁹⁵⁰ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed October 2005).

¹⁹⁵¹ U.S. Department of State, *Country Reports- 200: Georgia*, Section 5. See also U.N. Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention*, CRC/C/15/Add.222, para. 56.

¹⁹⁵² Ibid.

¹⁹⁵³ Government of Georgia, Ministry of Labor, Healthcare, and Social Affairs, *Information on Child Labor Protection in Georgia*, Tbilisi, February 2, 2005.

¹⁹⁵⁴ U.S. Department of State official, email communication to USDOL official, August 8, 2006.

¹⁹⁵⁵ U.S. Department of State, *Country Reports- 200: Georgia*, Section 6c.

the circumstances.¹⁹⁵⁶ In 2005 investigations were initiated into 26 criminal cases of Trafficking. Ten cases were brought to trial. So far, a guilty verdict has been returned in two criminal cases against six persons. Two cases returned not guilty verdicts while six criminal cases remain, involving seven defendants who are still at large.¹⁹⁵⁷

The compulsory age of recruitment into the military is 18 years. However, many high schools have military departments that are integrated into the country's armed forces and include national curriculum for children age 14 to 17 in "military preparedness," including weapons training.¹⁹⁵⁸ Since 1999, the Government of Georgia has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.¹⁹⁵⁹

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In August 2003, a National Plan of Action for Children (2003-2007) was approved that identified goals and implementation strategies regarding street children, child labor, and child sexual exploitation.¹⁹⁶⁰ Implementation of this plan has been delayed due to the change in government. The action plan has been reviewed, but currently no concrete actions have been taken to implement the plan.¹⁹⁶¹ The government has provided, through the Center for the Rehabilitation of Minors, medical and psychological support to children exploited in prostitution. In addition, the Ministry of Education and the private voluntary organization, Child and Environment, operate two shelters to assist street children; however, this was only in the capital city of Tbilisi and did not meet the demand in that city alone.¹⁹⁶²

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	09/23/1996	✓
Ratified Convention 182	7/24/2002	✓
ILO-IPEC Associated Member		✓
National Plan for Children		
National Child Labor Action Plan		
Sector Action Plan (Trafficking)		✓

The Government of Georgia outlined in June 2003 the Economic Development and Poverty Reduction Program (EDPRP) and in August 2003 the government established the Governmental Commission for Elaboration of the Report on the Realization of the Millennium Development Goals to be headed by the State Minister. The Millennium Development Goals for Georgia and the EDPRP address the issue of worst forms of child labor indirectly through interventions aimed at improving the educational system and reducing poverty.¹⁹⁶³

¹⁹⁵⁶ Institute of Legal Reforms of Georgia, *Changes to the Criminal Code of Georgia which Criminilize Trafficking in Persons*, Tbilisi, 2003; available from <http://ilr.iatp.ge/Legislation%20of%20Georgia/legislation%202.html>.

¹⁹⁵⁷ U.S. Department of State official, email communication to USDOL official, August 8, 2006.

¹⁹⁵⁸ Coalition to Stop the Use of Child Soldiers, "Georgia," in *Child Soldiers Global Report 2004* London, 2004; available from http://www.child-soldiers.org/document_get.php?id=901.

¹⁹⁵⁹ ILO-IPEC official, email communication to USDOL official, November 14, 2005.

¹⁹⁶⁰ Government of Georgia, *National Plan of Action for Children 2003-2007 [Draft-English Edition]*.

¹⁹⁶¹ UNICEF Georgia official, email communication to USDOL official, June 28, 2005.

¹⁹⁶² U.S. Department of State, *Country Reports- 2004: Georgia*.

¹⁹⁶³ Government of Georgia, *Economic Development and Poverty Reduction Programme of Georgia*, Tbilisi, June, 2003; available from http://www.psigeorgia.org/pregp/files/EDPRP%20_ENG_%20FINAL.pdf. Government of Georgia, *Millennium Development Goals in Georgia*, Tbilisi, 2004, 10; available from <http://www.undp.org/ge/news/Georgiamdg.pdf>.

The government approved a National Action Plan that established an ad hoc Interagency Commission against Trafficking and appointed a primary point of contact.¹⁹⁶⁴ The government has also established a policy for protecting the identity of victims of trafficking and has provided formal trafficking awareness and sensitivity training to all new police officers.¹⁹⁶⁵

The Government of Georgia is a member of the Black Sea Economic Cooperation (BSEC) and cooperates with other members to combat organized crime, including criminal activities concerning trafficking in human beings and the sexual exploitation of women and children.¹⁹⁶⁶ In December 2004, the BSEC states signed a joint declaration on combating trafficking in human beings.¹⁹⁶⁷

The Government of Georgia is receiving funding (USD 25.9 million) from the World Bank for the first phase of a 12-year program that will develop a national curriculum for primary and secondary education, train teachers and principals, and provide basic learning materials through 2006.¹⁹⁶⁸ The International Monetary Fund approved a 3-year, USD 144 million program to support the government's economic development efforts as outlined in their poverty reduction strategy paper.¹⁹⁶⁹ Similarly, USAID funds a number of programs in the areas of economic development; democracy and government; social development and health; and special initiatives including anti-trafficking programs.¹⁹⁷⁰

UNICEF is providing educational and recreational supplies and teacher training in psychosocial support and counseling to social workers in the conflict-ridden areas of Abkhazia and South Ossetia.¹⁹⁷¹ UNICEF is also assisting a local NGO providing psychological rehabilitation and integration services to street children.¹⁹⁷²

¹⁹⁶⁴ U.S. Department of State, *Trafficking in Persons Report- 2005: Georgia*. See also U.S. Department of State, *Country Reports- 2004: Georgia*.

¹⁹⁶⁵ U.S. Department of State, *Trafficking in Persons Report- 2005: Georgia*.

¹⁹⁶⁶ Georgia is a signatory to the *Agreement Among the Governments of the Black Sea Economic Cooperation (BSEC) Participating States on Cooperation in Combating Crime, In Particular in its Organized Forms*. Participating states include the Republic of Albania, the Republic of Armenia, the Republic of Azerbaijan, the Republic of Bulgaria, Georgia, the Hellenic Republic, the Republic of Moldova, Romania, the Russian Federation, the Republic of Turkey, and Ukraine. See *Black Sea Economic Cooperation, Agreement among the Governments of the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in Particular in its Organized Forms*, October 2, 1998; available from http://www.bsec-organization.org/temp/charter_.htm.

¹⁹⁶⁷ Black Sea Economic Cooperation, *Joint Declaration of the Ministers of Interior/Public Order of the Member States of the Organization of the Black Sea Economic Cooperation (BSEC) on Combating Trafficking in Human Beings*, Athens, December 3, 2004; available from http://www.bsec-organization.org/temp/charter_.htm.

¹⁹⁶⁸ The World Bank, *Project Appraisal Document on the First Phase of the Proposed Adaptable Program Credit in the Amount of SDR 19.9 Million to Georgia for an Educational System Realignment and Strengthening Program*, 20952-GE, The World Bank, Washington, D.C., February 22, 2001; available from http://www-wds.worldbank.org/servlet/WDSCContentServer/WDSP/IB/2001/03/27/000094946_01030705343241/Rendered/PDF/multi0page.pdf.

¹⁹⁶⁹ International Monetary Fund, *IMF Approves US\$144 Million PRGF Arrangement for Georgia*, Press Release No. 04/107, June 4, 2004; available from <http://www.imf.org/external/np/sec/pr/2004/pr04107.htm>.

¹⁹⁷⁰ USAID, *Georgia: The Development Challenge*, January 14, 2005 [cited June 23, 2005]; available from <http://www.usaid.gov/policy/budget/cbj2005/ee/ge.html>.

¹⁹⁷¹ UNICEF, *UNICEF Humanitarian Action Report 2005*, Central and Eastern Europe, The Commonwealth of Independent States and the Baltic States, New York, 2005; available from http://www.unicef.org/emerg/index_HAR.html.

¹⁹⁷² Assistance Georgia, *Street Children in Tbilisi*, [online] n.d. [cited October 12, 2005]; available from <http://www.assistancegeorgia.org.ge/Content/Projects.aspx?ProjID=9807f8b7-9bce-4171-9883-381986815a00&ProjInd=0>.